

**IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
NEW YORK**

U.S. BANK TRUST COMPANY, N.A.
Plaintiff,

v.

Jericho Plaza Portfolio LLC, et al.
Defendant.

CIVIL ACTION NO. 1:24-cv-00917-PAE

MOTION TO QUASH SUBPOENA TO TESTIFY AT A DEPOSITION

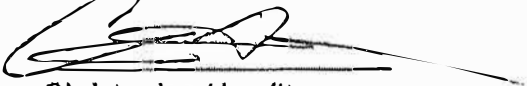
Christopher Hamilton, who is not an attorney and submits this motion on his own behalf, requests this Honorable Court quash the attached subpoena received by Christopher Hamilton on November 27, 2024, because:

1. Christopher Hamilton, who resides in Dallas, TX over 1,500 miles from New York City, is not a party to this action and is a former employee of the Special Servicer Midland Loan Services who represents the Plaintiff, a CMBS Trust. Christopher Hamilton resigned from Midland Loan Services in mid-August 2024 for reasons unrelated to the subject action and thus has had no involvement in the matter since that time.
2. Christopher Hamilton is not a party to this action and has no documentation on his person or any other information related to the matter that has not already been provided through prior discovery requests and submission.
3. Chad Milbrandt, Christopher Hamilton's direct manager during his time with Midland Loan Services, was made fully aware of all matters and correspondence related to the action and apparently has already or will be deposed by Defendant. Chad Milbrandt also had/has access to all files and emails during Christopher Hamilton's involvement with the matter, all which Christopher Hamilton no longer has access to. Christopher Hamilton has not spoken with Chad Milbrandt since tendering his resignation but was recently contacted by Plaintiff's counsel in regard to the subject deposition request (Plaintiff's counsel asked for a mailing address).
4. The subject case is a simple commercial mortgage foreclosure action (as a result of a loan maturity default) and thus it is obvious that Defendant is merely seeking to waste

time and rack up unnecessary legal expense with this additional deposition request. This attempt to subpoena and depose an additional and former employee of the Special Servicer in a simple foreclosure action is not only unduly burdensome, but it is harassment.

For the reasons set forth herein, Christopher Hamilton respectfully requests this Honorable Court to quash the subpoena received by Christopher Hamilton on November 27, 2024.

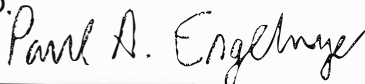
Respectfully submitted,



Christopher Hamilton
10787 Bushire Dr.
Dallas, TX 75229
T: 214-718-4856

The Court directs the parties to confer and submit a joint letter by December 5, 2024, setting forth their respective positions on non-party Christopher Hamilton's motion to quash.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

December 3, 2024
New York, New York